

AMENDED IN SENATE MARCH 21, 2011

**SENATE BILL**

**No. 525**

**Introduced by Senator Walters**

**(Coauthor: Senator Runner)**

*(Coauthors: Assembly Members Grove, Harkey, Jeffries, Mansoor, and Silva)*

February 17, 2011

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An act to ~~amend Section 21190 of~~ *add Section 21352.5 to the* Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 525, as amended, Walters. Public employees' ~~retirement; reinstatement.~~ *retirement: eligibility.*

The Public Employees' Retirement Law provides a comprehensive set of rights and benefits based upon age, service credit, and final compensation to members of the Public Employees' Retirement System. ~~Any person who has been retired under the system is generally prohibited from being employed in any capacity unless he or she is first reinstated from retirement, except as authorized. Existing law authorizes a person who has been reinstated to thereafter be employed by the state or by a contracting agency in accordance with the laws governing that service, in the same manner as a person who has not been so retired.~~ *Existing law prescribes different retirement formulas for different membership classifications in the Public Employees' Retirement System, including for state patrol members, state safety members, state peace officer/firefighter members, state industrial members, and state miscellaneous members. These retirement formulas permit a member to retire at 50 years of age with reduced benefits in comparison to a later retirement.*

This bill would ~~make a technical, nonsubstantive change to that provision:~~ *prohibit a state employee who becomes a member of the Public Employees' Retirement System on and after January 1, 2012, and who is not a state patrol member, a state safety member, or state peace officer/firefighter member, from retiring for service prior to reaching 55 years of age.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 21352.5 is added to the Government Code,  
2     to read:  
3     21352.5. Notwithstanding any other law, a state employee who  
4     becomes a member of the system on and after January 1, 2012,  
5     and who is not a patrol member, a state safety member, or a state  
6     peace officer/firefighter member, shall not be eligible for service  
7     retirement prior to reaching 55 years of age.  
8     ~~SECTION 1. Section 21190 of the Government Code is~~  
9     ~~amended to read:~~  
10    ~~21190. A person who has been retired under this system for~~  
11    ~~service may be reinstated from retirement by the board as provided~~  
12    ~~in this article, and thereafter that person may be employed by the~~  
13    ~~state or by a contracting agency in accordance with the laws~~  
14    ~~governing that service, in the same manner as a person who has~~  
15    ~~not been so retired.~~